IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS **AMARILLO DIVISION**

CLERK US DISTRICT COURT NORTHERN DIST. OF TX FILED

2013 JUN 20 PM 1: 12

2:12-CV-0162

ANDY DeWAYNE POSEY, *\$* Petitioner, ٧. WILLIAM STEPHENS, Director, Texas Department of Criminal Justice, Correctional Institutions Division. Respondent.

ORDER OVERRULING OBJECTIONS, ADOPTING REPORT AND RECOMMENDATION. GRANTING RESPONDENT'S MOTION TO DISMISS and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On June 3, 2013, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the motion to dismiss filed by respondent be granted, and the instant habeas application be dismissed as time-barred. On June 12, 2012, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DISMISSED.

IT IS SO ORDERED.

ENTERED this

day of _

MARY LOU ROBINSO

UNITED STATES DISTRICT JUDGE